



Oregon

Kate Brown, Governor

OREGON REAL ESTATE BOARD

**Regular Meeting Minutes
Holiday Inn Express & Suites
204 West Marine Drive
Astoria, OR 97103**

Monday, October 7, 2019

AGENDA ITEM NO.

I.D.

Real Estate Agency

530 Center St. NE, Suite 100

Salem, Oregon 97301-2505

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BOARD MEMBERS PRESENT: Jef Farley, Chair
Lawnae Hunter, Vice-Chair
Debra Gisriel
Jose Gonzalez
Dave Hamilton
Pat Ihnat
Dave Koch

BOARD MEMBERS ABSENT: Alex MacLean, excused
Susan Glen, excused

OREA STAFF PRESENT: Steve Strode, Commissioner
Anna Higley, Deputy Commissioner of Administration
Selina Barnes, Deputy Commissioner of Regulations
Maddy Alvarado, Customer Service Manager

GUESTS PRESENT: Paula Marie Simantel, Larcon Realty Group, Inc.
Charles Lewin, Nonprofit Home Inspections
Debbie Morrow, Clatsop Assoc. of Realtors
Jerry Regan, Clatsop Association of Realtors
Kendrick George, Pacific Pro Realty
Sheena Martin, RE/MAX River & Sea
Leigh Mortlack, Exp. Realty LLC
Ashley Nichols, Exp. Realty LLC
Julia Redditz, Totem Properties, LLC
Robin Risley, Clatsop Assoc. of Realtors Cascade Sothebys
Adam Schwend, Exp. Realty, LLC

I. BOARD BUSINESS – Chair Farley

- A. Call to Order. Chair Farley called the meeting to order at 10am.
- B. Chair Farley comments/Roll Call. Chair Farley asked the board liaison to take roll call, board members/REA staff to introduce themselves, and explained the role/function of the board.
- C. Approval of the Agenda and Order of Business.

**MOTION TO APPROVE APPROVAL OF THE AGENDA AND ORDER OF BUSINESS BY LAWNAE HUNTER
SECOND BY PAT IHNAT
MOTION CARRIED BY UNANIMOUS VOTE**

- D. Approval of 8.5.19 regular meeting minutes.

**MOTION TO APPROVE THE 8.5.19 REGULAR MEETING MINUTES BY DAVE KOCH
SECOND BY DEBRA GISRIEL
MOTION CARRIED BY UNANIMOUS VOTE**

- E. Date of the Next Meeting: 12.2.19, in Salem, OR venue to be determined, to begin at 10am. Chair Farley announced that the 12.2.19 board meeting will be held at the Oregon Real Estate Agency, 530 Center St. NE, Suite 100, Salem, OR 97301.

II. PUBLIC COMMENT – Chair Farley. None.

- This time is set aside for persons wishing to address the Board on matters not on the agenda. Speakers will be limited to five minutes.
- The Board Chair reserves the right to further limit or exclude repetitious or irrelevant presentations. If written material is included, 12 copies of all information to be distributed to board members should be given to the Board Liaison prior to the meeting.
- Action will not be taken at this meeting on citizen comments. The Board, however, after hearing from interested citizens, may place items on a future agenda so proper notice may be given to all interested parties.
- If no one wishes to comment, the next scheduled agenda item will be considered.

III. NEW BUSINESS – Chair Farley

- A. Election of Chair and Vice Chair. Commissioner Strode explained that Lawnae Hunter was willing to serve as Chair and Alex MacLean was also willing to serve a Vice-Chair for 2019.

**MOTION TO APPROVE LAWNAE HUNTER A BOARD CHAIR AND ALEX MACLEAN AS BOARD VICE CHAIR BY DEBRA GISRIEL
SECOND BY DAVE HAMILTON
MOTION CARRIED BY UNANIMOUS VOTE**

IV. REQUESTS FOR WAIVERS – Chair Farley. None.

V. PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER– Chair Farley – CEP Log

- A. Nonprofit Home Inspections, Charles Lewis to appear in person. Mr. Lewis appeared in person and explained that Nonprofit Home Inspections is a nonprofit 501(c) (3) organization with the goal of making home inspections and the benefits of home inspections available to all. He also stated that another component to the organization is home inspector training. Chair Farley asked Mr. Lewis what the qualifications are for someone to be eligible for a home inspection. Mr. Lewis responded it is based on income. Ms. Gisriel asked Mr. Lewis if he was familiar with the recordkeeping requirements expected of certified education provider and Mr. Lewis responded that he was familiar with the requirements. Vice Chair Hunter asked Mr. Lewis if his organization has a board of directors and responded that they did. Mr. Hamilton asked Mr. Lewis where the organization receives funding from and he responded majority of funding comes from fee for service. Ms. Ihnat asked Mr. Lewis if he would be the instructor and he indicated that he would be one of the instructors. Nonprofit Home Inspections offer courses that include the following topics: Real estate property evaluation, appraisal, or valuation, and environmental protection issues in real estate, which are all considered acceptable course topics.

**MOTION TO APPROVE NONPROFIT HOME INSPECTIONS’S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH
SECOND BY DAVE HAMILTON
MOTION CARRIED BY UNANIMOUS VOTE**

- B. Andrew Varcak, Mr. Varcak to appear by phone. Mr. Varcak appeared by phone and explained that he has been in the mortgage business for over 15 years. He also explained that he had previously been approved through another company and had since become independent instructor. Chair Farley asked Mr. Varcak if he was familiar with the recordkeeping requirements for certified education providers and he responded that he was familiar with the requirements. Ms. Ihnat asked Mr. Varcak if he was responsible for recordkeeping at his previous company and he responded that he was responsible for recordkeeping and turned all those records over to the regional manager with the understanding that the records must be maintained. Mr. Varcak offers courses that include the following topics: Real estate property evaluation, appraisal, or valuation, which are considered acceptable course topics

**MOTION TO APPROVE ANDERW VARCAK’S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH
SECOND BY LAWNAE HUNTER
MOTION CARRIED BY UNANIMOUS VOTE**

- C. Green Training USA, Kelly Caplenas to appear by phone. Ms. Caplenas appeared by phone and explained Green Training USA has focused on making home owners and agents aware of the importance of energy efficiency, clean air, and healthy homes. Chair Farley asked Ms. Caplenas if she was familiar with the recordkeeping requirements of certified education provider and she responded that her staff is familiar with the recordkeeping requirements. Chair Farley also asked Ms. Caplenas if her company was strictly an online provider and she responded that the company was not strictly online provider. Mr. Koch asked Ms. Caplenas if her company has a timing system in place to track student activity and she responded that a system is in place to track time. Vice Chair Hunter asked Ms. Caplenas what type of training does Green Training USA provide other than continuing education and Ms. Caplenas responded that the company providing training on various energy efficiency measures. Green Training USA offers courses that include the following topics: Real estate property evaluation, appraisal, or valuation, and environmental protection issues in real estate, which are considered acceptable course topics. Ms. Higley and Ms. Alvarado stated that the Agency will update the petition to include more information for petitioners to consider and provide a draft version to the board at the 12.2.19 board meeting.
DISCUSSION: Mr. Koch stated that energy audit requirement in Portland makes this topic very relevant. He also explained that Ms. Caplenas has shown a clear understanding and has a system in place for recordkeeping.

**MOTION TO APPROVE GREEN TRAINING USA’S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY DAVE KOCH
SECOND BY PAT IHNAT
MOTION CARRIED BY 6 AYES (JEF FARLEY, LAWNAE HUNTER, PAT IHNAT, DEBRA GISRIEL, DAVE KOCH, AND JOSE GONZALEZ) AND 1
ABSENTIA (DAVE HAMILTON)**

- D. Oregon State Credit Union, Lyndora Taylor to appear by phone. Ms. Taylor appeared by phone and explained that OSCU has been providing community education for more than 15 years. Chair Farley asked Ms. Taylor if OSCU has been actively teaching classes under other certified education providers and she responded that they have not. He also asked if the courses would be live courses with instructors and Ms. Taylor responded that the courses would be live with instructors. Mr. Koch asked Ms. Taylor if she prepared to meet the recordkeeping requirements as a certified education providers and she said that she is familiar with the recordkeeping requirements. He also asked if the courses that will be offered are already offered for the benefit of consumers and she responded that the courses will be specifically for realtors. Mr. Farley asked if Ms. Taylor would be personally instructing the courses and she responded that she along with other staff members would be instructing. OSCU will offer courses that include the following topics: Real estate finance, real estate property evaluation, appraisal, or valuation, which are all considered acceptable course topics.

**MOTION TO APPROVE OREGON STATE CREDIT UNION’S PETITION TO QUALIFY AS A CONTINUING EDUCATION PROVIDER BY JOSE GONZALEZ
SECOND BY DAVE HAMILTON
MOTION CARRIED BY UNANIMOUS VOTE**

VI. BOARD ADVICE/ACTION – Commissioner Strode

- A. Approval of 8.4.19 LARRC Committee meeting minutes. Not addressed.
B. 2020 – 2021 Law and Rule Required Course (LARRC) Required Topics – Make recommendations to adopt the LARRC Outline developed by the LARRC Committee. Commissioner Strode referred the board members to the Draft LARRC outline and thanked the LARRC Committee members for their participation in the development process. **DISCUSSION:** Mr. Koch asked if approval of the LARRC outline is needed beyond Commissioner Strode. Mr. Strode explained that the final step in the process is for the board to adopt the LARRC outline.

**MOTION TO ADOPT THE LARRC OUTLINE DEVELOPED BY THE LARRC COMMITTEE BY DAVE HAMILTON
SECOND BY DEBRA GISRIEL
MOTION CARRIED BY UNANIMOUS VOTE**

VII. REPORTS – Chair Farley

- A. Commissioner Strode. Mr. Strode recognized outgoing board members, Chair Jef Farley and Dave Koch. He also explained that the Agency was working with the Governor's Office through the selection process for the replacements of the outgoing board members and anyone interested should go to Oregon.gov and search Boards and Commissions where information about applying for board appointment can be found. He also stated that the goal was to have the two new board members in place by the 12.2.19 board meeting.
1. PMAR Broker Management Meeting
 - Mr. Strode presented an overview of the Agency's role/function/processes.
 2. OAR Panel Discussion
 - REA staff presented an overview of the Agency's role/function/processes
 3. Business Issues Key Committee – Not addressed
 4. CLEAR and ARELLO Conferences
 - Agency has attended the ARELLO (Association of Real Estate License Law Officials) conferences on a regular basis for many years and has had an active role with the organization
 - Mr. Strode and Ms. Higley attended the CLEAR (Council on Licensure, Enforcement and Regulation), which a variety of licensed industries attend.
 5. Occupational Licensure Developments
 - Bills that passed which had an impact on the Agency:
 - SB 855 –Directs professional licensing boards to develop pathways to licensure, certification or other authorization to practice occupation or profession for specified persons] study manner in which persons who are immigrants or refugees become authorized to practice occupation or profession. Directs boards to reduce barriers to authorization to practice for immigrants or refugees. Agencies, including REA, are required to report what they may do to make entrance into occupations easier for immigrants and refugees to the Legislature.
 - SB 688 – Directs licensing boards to issue annually report to interim committee of Legislative Assembly related to veterans information about temporary authorizations to practice occupational or professional service for spouses or domestic partners of members of Armed Forces of the United States who are stationed in this state. Agency will outline the process of issuing temporary licenses in this situation and present to the board at a later date.
- B. Agency Division Reports
1. Regulations, Selina Barnes. Ms. Barnes summarized the statistics/information provided in the division report, announced that two new investigators, Cidia Nanez and Benjamin McBride, have joined the Agency as of 10.1.19. She also explained that she would be presenting the "Attn: Violation Prevention" class following the board meeting. Ms. Barnes gave a brief report regarding the ARELLO conference that she attended and explained that staff would be attending various trainings in the upcoming months. She also reviewed the Administrative Actions Summary and explained the corresponding Orders would be emailed to the board members.
 2. Administration and Land Development, Anna Higley. Ms. Higley presented a budget update and explained that the Agency's current licensing database, eLicense, will be replaced next biennium. She also followed up from the last board meeting regarding the renovation of the Agency's reception area for security purposes. Ms. Higley reported that quotes were received, suggestions from the board regarding keeping the Agency structure personable are being considered, and the expectation was to have the renovation completed by the end of 2019. Ms. Higley summarized the statistics/information provided in the Land Development division report.
 3. Licensing and Education, Madeline Alvarado. Ms. Alvarado summarized the statistics/information provided in the division report and outlined the following projects that the Agency would be participating in during 2020:
 - Partnering with PSI to review the exam process which will include forming a committee of subject matter experts.
 - Implementation of mandatory educator reviews

VIII. ANNOUNCEMENTS – Chair Farley. Next board meeting: 12.02.19 at the Oregon Real Estate Agency, 530 Center St. NE, Salem, OR 97301, to begin at 10am.

IX. ADJOURNMENT

Respectfully submitted,


STEVE STRODE, COMMISSIONER

Respectfully submitted,


JEF FARLEY, BOARD CHAIR